



PATENT
Attorney Docket **044921-5004**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **PRASHAR, Yatindra et al.**)
Application No.: **09/674,607**) Group Art Unit: **1634**
Filed: **November 14, 2001**) Examiner: **Carla J. Myers**
For: **A Process to Study Change in Gene**)
Expression in T Lymphocytes)

NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated March 21, 2005 of the Examiner's final rejecting of claims 21, 34, and 37-46, the period for response to which has been extended three months by the accompanying petition for extension of time fee.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **September 21, 2005**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP
Hong Lin for
Hong Lin (Reg. No. 54,891)
Michael S. Tuscan
Registration No. 43,210

09/22/2005 SZEWDIE1 00000142 500310 09674607
02 FC:2401 250.00 DA